

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

FRONTIER BANK,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 3:05-CV-901-WKW
	)	
R & L TRUCKING CO., INC., et al.,	)	
	)	
Defendants.	)	

**ORDER**

This cause is before the Court on the plaintiff's Motion Requesting Court Order Defendants to Execute Arbitration Forms to Allow Arbitration Case to Proceed (Doc. # 16), filed on March 29, 2006. Defendants filed their Response (Doc. # 17) on April 11, 2006.

At issue is the defendants' apparent refusal to execute the "Submission to Dispute Resolution" form of the American Arbitration Association. Notwithstanding the defendants' assertion that the signatures of the defendants are not required, the above-referenced form plainly states on its face: "Signatures of all parties are required." Having agreed to and claimed the benefit of arbitration, the defendants cannot now be allowed to thwart that process. Defendants must comply with the rules and procedures of the Arbitration Service Provider, which in this case is the American Arbitration Association.

Upon due consideration, the defendants are each ORDERED to execute fully the "Submission to Dispute Resolution" form of the American Arbitration Association and submit it to counsel for the plaintiff with original signatures on or before noon, April 27, 2006. The failure of any defendant to comply with this Order will result in the Court vacating its previous Order compelling arbitration (Doc. # 14) and assuming jurisdiction of this action. In such event, the Court

may assess fees and costs incurred by the plaintiff as a result of the defendants advancing a claim for arbitration without the good faith intent to participate therein.

DONE this the 18<sup>th</sup> day of April, 2006.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE